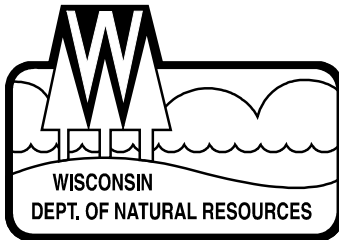


Scott McCallum, Governor
Darrell Bazzell, Secretary

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State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

October 16, 2002

Organization/Association

RE: Advisory Committee Membership for Wisconsin Shoreland Management Program
Administrative Code Revision

Dear Interested party:

It is my pleasure to invite your organization to participate in a discussion on the future of Wisconsin's Shoreland Management Program as a member of a newly appointed Shoreland Management Advisory Committee. The purpose of the committee will be to review and provide input on alternatives for a revised shoreland management rule (NR 115, Wis. Adm. Code). By involving interested stakeholders from the inception of this effort, the Department hopes to promulgate a revised rule that strengthens the protection of the state's critical shoreland areas, while providing better clarity and flexibility for private property owners.

The first meeting of the advisory committee is scheduled for *November 21, 2002*. This meeting is designed to:

- Acquaint committee members with the Shoreland Management Program including the NR 115 legislative intent, rationale for the rule revision, and explanation of why shorelands are important;
- Outline the entire process developed by the Department for the rule revision;
- Describe the structure, ground rules and future agendas for the committee's meetings;
- Provide committee members an opportunity to express your expectations for the committee's deliberations; and
- Set dates for upcoming issue specific meetings.

The second meeting, scheduled for *December 12, 2002*, will introduce broad concepts in shoreland management and set the stage for the following issue specific meetings. Topics include an overview of development in Wisconsin, county shoreland management initiatives, and land use trends.

The remaining meetings will be broken down into the following three topics with an additional topic related to "flexibility and mitigation" incorporated into each of the three issue specific areas:

- Shoreland Buffers and Setbacks
- Development Density

- Nonconforming Structures and Uses

These remaining meetings will be structured to have experts in relevant fields setting the stage for each meeting. Members of the DNR Shoreland Management Team will then describe the current rule language and management alternatives. The remainder of the meeting will be for the advisory committee to ask questions, modify options or suggest new ones. The hope is that at the end of each meeting, members will have identified preferred options for the revision of the rule.

I ask that your organization nominate an advisory committee representative **by November 1, 2002**. Before finalizing your decision, please review the attached sideboards for the committee's deliberations. If your organization chooses to participate, please respond to Toni Herkert, Shoreland Management Team Leader with the name of your organization's appointee to the Committee. Directions to the meeting, a specific agenda for the first meeting and background information will then be mailed to your organization's representative.

If you have any questions regarding the advisory committee, the rule revision process or the information provided in this letter, please feel free to contact Al Shea, Director of the Bureau of Watershed Management and Chair of the Advisory Committee at (608) 267-2759; or Toni Herkert, Shoreland Management Team Leader at (608) 266-0161.

I hope your organization will join the Department in this important rule revision process!

Sincerely,

Darrell Bazzell
Secretary

cc: Franc Fennesy – AD/5
Susan Sylvester – AD/5
Paul Heinen – AD/5
Elizabeth Kluesner – AD/5
Regional Directors
Al Shea – WT/2
Water Media Leaders
Linda Meyer – AD/5
Toni Herkert – WT/2
Shoreland Management Team

enclosures: Rule Agenda/Board Action Checklist (pink sheet)
Invited Advisory Committee List
Advisory Committee Sideboards
Process Summary

Revising Wisconsin's Shoreland Development Standards

Advisory Committee Membership

October 15, 2002

Local Government

Wisconsin County Code Administrators (northwest, northeast and southern representatives)
Elected Co. Planning & Zoning member (north and south representatives)
Wisconsin Towns Association
Wisconsin Counties Association

Public Resource Interests

Wisconsin Association of Lakes
River Alliance of Wisconsin
Conservation Congress
Trout Unlimited
ECCOLA

Riparian Owners

Riparian Property Owners (north and south)

Academic Resources

University Representative (water Quality)
University Representative (habitat)
University Representative (zoning)
WI Chapter of American Planning Association

Private Business

Wisconsin Builders Association
Wisconsin Realtors Association
NRB Appointee
Landscape Consultant
Restoration Contractor
Agricultural Representative
Forestry Representative

Wisconsin's Shoreland Management Program - Rule Revision

Proposed Process Outline

Phase I – Fall/Winter 2002

- General Development Advisory Committee meets twice as introduction to issues
 - ⇒ First meeting - Background information on the charge of the Shoreland Management Program, “why shorelands are important”. Rational for opening the code, ground rules, bottom lines, Department expectations, meeting structure, facilitation, member's opinions of the revision process, set future meeting dates.
 - ⇒ Second meeting - Big picture and statewide perspectives with a narrowing to specific background information on the 4 major issues.

Phase II – Winter/Spring 2003

- Four issue meetings to explore options for various aspects of Shoreland Management
- Develop issue specific subteams if full AC cannot agree on certain issues (if necessary)
- Full AC meeting after subteams meet – (if necessary)
- **DEVELOP DRAFT RULE**
- **Brief Natural Resources Board**

Phase III – Summer 2003

- Forestry Issue Team meets once to review Advisory Committee's work and discuss creation and options for a Forestry subchapter in NR 115.
- Brief DATCP Ordinance Review Committee on Advisory Committee's work and discuss creation and options for an Agriculture subchapter in NR 115.
- Summarize comments from the Forestry and Agriculture briefings
- General Development Advisory Committee meets after above briefings and before the Public Listening Sessions to discuss final recommendations.
- **Brief Natural Resources Board**

Phase IV – Fall 2003

- Public Listening Sessions held four to eight times around state
- **SUMMARY REPORT:** Summarize comments from the public listening sessions to take to last AC meeting
- General Development Advisory Committee meets once to review public comments, discuss final recommendations to the Natural Resources Board and close out committee.

Phase V – Winter/Spring 2004

- Rule package prepared - based on AC and public comments
- **NRB REQUEST FOR PUBLIC HEARING**
- 8 PUBLIC HEARINGS - around the state – Appleton, Stevens Point, Waukesha, Madison, Eau Claire, La Crosse, Spooner and Rhineland

Phase VI – Fall 2004

- Assemble public comments from public hearings
- Finalize rule package
- **REQUEST FINAL APPROVAL from NRB**
- Legislative review begins

Wisconsin's Shoreland Management Program – Rule Revision

General Development Issues

- Shoreland Buffers and Setbacks
- Development Density
- Nonconforming Structures and Uses
- Incorporating Flexibility and Mitigation Measures

Sideboards for the Shoreland Management Advisory Committee

The Department's has utilized Advisory Committees for many, many years as a means to have up-front input from citizens and interests groups that are most impacted by potential Administrative Rule and other policy changes. However, our long experience has shown that establishing sideboards for an Advisory Committee's deliberations is the most productive way to focus on the issue at hand. Thus, the Department is providing the following sideboards to the NR 115 Advisory Committee activities:

- The discussion of the advisory committee will be limited to the NR 115 Shoreland Management administrative code revision. Other issues may surface, and we may chose to record these, but the discussion will be limited to NR 115. Specifically, this group is not being charged with advising the Department on issues related to Ch. 30, Wis. Stats. , navigable waters definition, or Ordinary High Water Mark determinations.
- The individual meeting discussions will be focused on the agenda topics. For example, the first *issue specific* meeting is in relation to the shoreland buffer and setback components of the code; we will not be discussing lot sizes or nonconforming structures during this meeting. These issues will be key topics at a future advisory committee meeting.
- Any written comments submitted by advisory committee members, should be authored by the advisory committee member and shall reflect the collective opinion of his/her organization, business or association.
- Advisory Committee members will be given two weeks after each meeting to submit additional written comments on the previous meeting topics.
- Each advisory committee member will be asked for an opinion as a representative of their organization or association on each major issue covered during the meetings.

The Department believes adherence to these sideboards will maximize the productivity and satisfaction of the Advisory Committee members.